

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

EZELL WASH, ET AL.

PLAINTIFF

v.

NO. 4:00CV315-P-D

ROBERT JOHNSON, ET AL.

DEFENDANTS

FINAL JUDGMENT

Upon consideration of the file and records in this action, including the Report and Recommendation of the United States Magistrate Judge dated November 8, 2005, and the December 27, 2005, objections to the Report and Recommendation, the court finds that the plaintiff's objections are without merit and that the Magistrate Judge's Report and Recommendation should be approved and adopted as the opinion of the court. It is, therefore

ORDERED:

1. That the Report and Recommendation of the United States Magistrate Judge dated November 8, 2005, is hereby approved and adopted as the opinion of the court.

2. That the all the claims of the "Wash Plaintiffs," Bobby Caldwell, Desmond Earl Phillips, Robert Price, James Reed, Richard Sims, Jr., Glendle Sones, and Ezell Wash, are hereby **DISMISSED** with prejudice under FED. R. CIV. P. 41(b) for failure to obey an order of the court – and under the court's inherent power. The only plaintiff whose claims are not dismissed under Rule 41(b) is Jimmy Powell.

3. That this entire case is hereby **DISMISSED** under 42 U.S.C. § 1997e(e) because the plaintiffs have not alleged constitutionally significant physical injury.

4. That this case is **CLOSED**.

THIS, the 10th day of March, 2006.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE